

APPENDIX "A"

To the Idaho Rules of Civil Procedure (I.R.C.P.)

2002 FILING FEE SCHEDULE - DISTRICT COURT AND MAGISTRATE DIVISION

Effective July 1, 2002

DISTRICT COURT FILING FEES

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
A. Civil Complaint for more than \$1,000							
1. No prior appearance	\$ 10.00	\$ 18.00	\$ 10.00	\$ 17.00	\$ 17.00	\$ 5.00	\$ 77.00
2. With prior appearance (Fee Category J. Pleadings)				17.00	17.00		34.00
B. Civil Complaint for more than \$300, but not more than \$1,000							
1. No prior appearance	10.00	18.00	10.00	10.00	4.00	5.00	57.00
2. With prior appearance (Fee Category J. Pleadings)				10.00	4.00		14.00
C. Civil Complaint for not more than \$300							
1. No prior appearance	10.00	18.00	10.00	9.00	3.00	5.00	55.00
2. With prior appearance (Fee Category J. Pleadings)				9.00	3.00		12.00
D. Unlawful detainer, forcible detainer, forcible entry (with or without rent, regardless of the dollar amount)	10.00	18.00	10.00	10.00	4.00	5.00	57.00
E. Claim and Delivery	10.00	18.00	10.00	17.00	17.00	5.00	77.00
F. 1. Divorce (\$1.00 for court clerk fees I.C. § 39-266 & \$20 for the displaced homemaker account I.C. § 39-5009 & \$20 domestic violence project, I.C. § 39-5213)	10.00	18.00	10.00	52.00	23.00*	5.00	118.00

* This includes \$5.00 taken from the State General Fund fee, which shall be separately identified and deposited in the District Court Fund, for establishing a uniform system of qualifying counselors in domestic violence cases. I. C. § 31-3201A(p)							
2. Annulment (\$1.00 for court clerk fee)	10.00	18.00	10.00	17.00	18.00	5.00	78.00
3. Paternity Action	10.00	18.00	10.00	17.00	17.00	5.00	77.00
G. 1. Petition to release common law or other lien.					35.00	5.00	40.00
2. Habeas corpus actions filed by non-indigent prisoners				17.00	17.00	5.00	39.00
3. All other actions or petitions (not demanding dollar amounts)	10.00	18.00	10.00	17.00	17.00	5.00	77.00
H. Small Claims		18.00	10.00		7.00		35.00
I. Civil Answers or Appearances							
1. Civil cases over \$1,000							
a. No prior appearance	10.00	18.00		10.00	4.00	5.00	47.00
b. With prior appearance (Fee Category J. Pleadings)				10.00	4.00		14.00
2. Civil cases for more than \$300, but not more than \$1,000							
a. No prior appearance	10.00	18.00		10.00	4.00	5.00	47.00
b. With prior appearance				10.00	4.00		14.00
3. Civil cases not more than \$300				10.00	4.00	5.00	19.00

4. Unlawful detainer, forcible detainer, forcible entry a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 5. Claim and Delivery a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 6. Divorce a. No prior appearance b. With prior appearance (With Category J. Pleadings) 7. All other actions a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 8. Small Claims 9. Paternity Action 10. Any answer after an appearance						
	10.00	18.00		10.00	4.00	47.00
				10.00	4.00	14.00
	10.00	18.00		10.00	4.00	47.00
				10.00	4.00	14.00
	10.00	18.00		10.00	4.00	47.00
				10.00	4.00	14.00
J. Special motions, petitions and pleadings 1. Motion for change of venue a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 2. Order granting change of venue (pay to new county)						No Fee
	10.00	18.00		10.00	4.00	47.00
	10.00	18.00		10.00	9.00	52.00
					9.00	9.00
					9.00	9.00

3. Petition to vacate or renew a judgment or reopen a case after no activity for one year, except for executions on judgment. a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 4. Motion to reopen divorce action or to amend or modify divorce decree a. No prior appearance b. With prior appearance (Fee Category I. or J. Pleadings) 5. Petition for Intervention 6. Third party complaint a. No prior appearance b. With prior appearance (Fee Category J. Pleadings) 7. Cross Claim (defendant v. defendant or plaintiff v. plaintiff) a. No prior appearance b. With prior appearance (Fee Category I. or J. Pleadings) 8. Counterclaim (defendant v. plaintiff) a. No prior appearance b. With prior appearance (Fee Category I. or J. Pleadings)							
	10.00	18.00	10.00		9.00	5.00	52.00
					9.00		9.00
	10.00	18.00	10.00	15.00	17.00	5.00	75.00
				15.00	17.00		32.00
	10.00	18.00	10.00		7.00	5.00	50.00
	10.00	18.00	10.00		8.00	5.00	51.00
					8.00		8.00
	10.00	18.00	10.00		8.00	5.00	51.00
					8.00		8.00
	10.00	18.00	10.00		8.00	5.00	51.00
					8.00		8.00

Pleadings)							
9. Petition for judicial consent to abortion							No Fee
K. Juvenile and Family Matters							
1. Petition for adoption	10.00	18.00	10.00	10.00	7.00	5.00	60.00
2. Petition for termination of parent-child relationship	10.00	18.00	10.00	10.00	7.00	5.00	60.00
3. Consolidated adoption and termination of parent-child relationship	10.00	18.00	10.00	10.00	7.00	5.00	60.00
4. Petition for permission to marry	10.00	18.00	10.00	10.00	7.00	5.00	60.00
5. Petition under Juvenile Corrections Act							No Fee
6. Petition under Child Protection Act							No Fee
7. Petition for commitment of mentally ill							No Fee
L. Probate matters – The following fees to be charged whether it be a probate of a single or joint estate							
1. Application for informal probate							
a. No prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
b. With prior appearance				17.00	17.00		34.00
2. Petition for formal probate (testacy determination)							
a. No prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
b. With prior appearance				17.00	17.00		34.00

3. Any petition or application of any person for appointment as personal representative after petition or application for probate has been filed				17.00	17.00		34.00
4. Any petition for formal or informal probate asking for appointment of a personal representative	10.00	18.00	10.00	17.00	17.00	5.00	77.00
5. Initial petition, motion or appearance of any person, other than an applicant for personal representative (except for items 7, 8, and 11 below)							
a. No prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
b. With prior appearance				17.00	17.00		34.00
6. Administration of estate under 15-3-1205, Idaho Code and proceedings to determine heirship without administration							
a. No prior appearance				10.00	4.00	5.00	19.00
b. With prior appearance				10.00	4.00		14.00
In addition to the above fees under Category L, the following probate fees shall be collected from any person filing the following documents, whether or not the person has appeared previously:							
7. Demand for notice (not an appearance)					9.00		9.00
8. Demand for bond (not an appearance)							
a. Before appointment of personal representative							No Fee

b. After appointment of personal representative					9.00		9.00
9. Objection or petition to contest probate of will							
a. No prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
b. With prior appearance				17.00	17.00		34.00
10. Any petition for the appointment of a new personal representative filed as a contest to the appointment of a personal representative							
a. No prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
b. With prior appearance				17.00	17.00		34.00
11. Petition for approval of compromise							
a. No prior appearance	10.00	18.00	10.00	10.00	4.00	5.00	57.00
b. With prior appearance				10.00	4.00		14.00
12. Intermediate or final accounting of personal representative					9.00		9.00
13. Petition for distribution of estate				13.00	6.00		19.00
14. Petition or appearance of any person filed more than 3 years after initial filing and more than 1 year after the last prior filing fee whether or not there has been a prior appearance (fee for reopening inactive file, but no further fee shall be charged such person under fee categories L1 thru 5)	10.00	18.00	10.00	17.00	17.00	5.00	77.00

<p>15. Cases where a court order is issued only for a specific reason other than administration of an estate</p> <p>16. Filing of a copy of appointment of foreign personal representative</p> <p> a. No prior appearance</p> <p> b. With prior appearance</p> <p>If two or more of the above documents or pleadings are filed jointly under Category L as one instrument, the filing fee would be computed as though they had been filed separately.</p> <p>17. Cases to determine inheritance tax in transfer</p> <p>18. Filing of a renunciation</p>				10.00	4.00	5.00	19.00
	10.00	18.00		17.00	17.00	5.00	67.00
				10.00	17.00		27.00
				10.00	4.00	5.00	19.00
M. Guardianship Matters							No Fee
1. Petition for appointment of guardian							
a. No prior appearance	10.00	18.00	10.00	10.00	4.00	5.00	57.00
b. With prior appearance				10.00	4.00		14.00
2. Consent to testamentary appointment as guardian without petition							
a. No prior appearance	10.00	18.00	10.00	10.00	4.00	5.00	57.00
b. With prior appearance				10.00	4.00		14.00
3. Any objection by any person to the appointment of a guardian except that no fee shall be charged to the minor or alleged incapacitated person filing an objection							
a. No prior appearance	10.00	18.00		10.00	4.00	5.00	47.00

b. With prior appearance 4. Initial petition, motion, or appearance of any person except the minor involved 5. Intermediate or final accounting of guardian				10.00	4.00		14.00
	10.00	18.00		10.00	4.00	5.00	47.00
					9.00		9.00
N. Conservatorship 1. Petition for appointment of conservator a. No prior appearance b. With prior appearance	10.00	18.00	10.00	17.00	17.00	5.00	77.00
				17.00	17.00		34.00
2. Copy of appointment of foreign conservator a. No prior appearance b. With prior appearance 3. Initial petition, motion, or appearance of any person 4. Intermediate or final account of conservator 5. Petition for final distribution of estate	10.00	18.00		17.00	17.00	5.00	67.00
				17.00	17.00		34.00
	10.00	18.00		17.00	17.00	5.00	67.00
					9.00		9.00
				13.00	6.00		19.00
O. Joint Guardianship and Conservatorship 1. Joint petition, same party guardian and conservator 2. Joint petition, different parties guardian and conservator (considered two filings)	10.00	18.00	10.00	17.00	17.00	5.00	77.00
	20.00	36.00	20.00	17.00	17.00	5.00	115.00
P. Minor's Claim 1. Petition for compromise of minor's claim							No Fee

2. Petition for compromise of a minor's claim with the appointment of a conservator a. No prior appearance	10.00	18.00	10.00	10.00	4.00	5.00	57.00
				10.00	4.00		14.00
Q. Trusts and Renunciations							
1. Registration of trusts and renunciations							No Fee
2. Initial petition, motion, or appearance of any person, except registration of trusts and renunciations	10.00	18.00		10.00	4.00		42.00
3. Intermediate or final accounting of trustee					9.00		9.00
4. Petition for final distribution of estate				13.00	6.00		19.00
5. Filing renunciations							No Fee
R. Appeals and transfers from magistrate division to district court							
1. Appeal from magistrate division of district court							
a. Small Claims (Small Claims Dept. to Magistrate Division)	10.00	18.00	10.00		9.00		47.00
b. Small Claims (Magistrate Division to District Court)	10.00	18.00	10.00		9.00		47.00
c. Other Civil Appeals	10.00	18.00	10.00		9.00		47.00
d. Criminal Appeals							No Fee
2. Appeal or petition for judicial review, or cross-appeal or cross-petition, from commission, board or body to the district court	10.00	18.00	10.00	17.00	17.00		72.00

3. Any transfer from magistrate division to district court (to be paid by the party transferring or causing the action to be transferred in addition to any appearance fee)	10.00	18.00		10.00	4.00		42.00
S. Filing Foreign Judgment							
1. Filing judgment creditor					7.00		7.00
2. Motion or application of judgment debtor to stay execution	10.00	18.00		10.00	4.00	5.00	47.00
3. Filing a custody decree from another state under I.C. §32-1116							No Fee
T. Civil appeals or cross-appeals to the Supreme Court (District court fee \$9.00; Supreme Court fee \$86.00. The clerk of the district court shall collect the entire fee and remit the \$86.00 fee to the Supreme Court with a certified copy of the notice of appeal. Rule 23 (b), I.A.R.)	(86.00 Sup. Ct)				9.00		95.00
U. Miscellaneous fees per statute (i.e. copies, passport fees, etc.)	As prescribed by statute						